

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/745,655	BENDAK ET AL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert C. Scheibel	2666	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/27/2005.
2. ☒ The allowed claim(s) is/are 18,20,21,24,25,27-37 and 64, renumbered 1-17.
3. ☒ The drawings filed on 18 October 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20050718</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                    |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Terrance Meador on 7/18/2005.

The application has been amended as follows:

On page 1, line 13, "STRUCTURE"" has been corrected to --STRUCTURE", currently pending.--

On page 1, line 17, "STRUCTURE"" has been corrected to --STRUCTURE", currently pending.--

On page 1, line 21, "STRUCTURE"" has been corrected to --STRUCTURE", currently pending.--

On page 1, line 24, "STRUCTURE"" has been corrected to --STRUCTURE", currently pending.--

On page 1, line 27, "STRUCTURE"" has been corrected to --STRUCTURE", now U.S. Patent Number 6,836,485.--

On page 2, line 3, "STRUCTURE"" has been corrected to --STRUCTURE", now U.S. Patent Number 6,847,657.--

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On page 2, line 6, "STRUCTURE"" has been corrected to --STRUCTURE", currently pending.--

On page 2, line 8, "STRUCTURE"" has been corrected to --STRUCTURE", currently pending.--

On page 2, line 11, "LINK"" has been corrected to --LINK", now U.S. Patent Number 6,795,451.--

On page 3, line 19, "filed on" has been corrected to --currently pending, filed on--

In claim 18, line 1, "value" has been corrected to --values--.

In claim 18, the following has been added between lines 5 and 6:

--selecting the location of the frame synchronization byte values in the overhead section of the transmitted frame;--

In claim 18, line 9, "bytes" has been corrected to --bytes;--.

In claim 18, lines 10-11 have been deleted.

In claim 18, line 12, "received frames" has been corrected to --received frame--.

In claim 18, line 13, "received frames" has been corrected to --the received frame--.

In claim 18, line 14, "received frames" has been corrected to --received frame--.

In claim 18, lines 15-16 have been deleted.

In claim 18, the following has been added between lines 16 and 17:

--selecting the values of the frame synchronization bytes in the overhead section of the received frame;--

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In claim 18, line 17-18, "in a received frame" has been corrected to --in the overhead section of the received frame --.

In claim 18, line 19, "locations" has been corrected to --location--.

In claim 18, line 20, "a transmitted frame" has been corrected to --the transmitted frame--.

In claim 18, lines 20-21, "a first frame synchronization byte value" has been corrected to --first frame synchronization byte values--.

In claim 18, line 27, "byte value" has been corrected to --byte values--.

In claim 21, line 2, "the number" has been corrected to --a number--.

In claim 21, lines 5-6, "in response recognizing" has been corrected to --in response to recognizing--.

In claim 24, line 3, "first locations" has been corrected to --a first location--.

In claim 24, line 3, "second locations" has been corrected to --a second location--.

In claim 25 lines 4-5, "of the bytes to be used for frame synchronization of the received frame" has been corrected to -- of the frame synchronization byte values in the overhead section of the received frame --.

In claim 27, line 2, "the bit" has been corrected to --a bit--.

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In claim 28, line 1, "a bit" has been corrected to --the bit--.

In claim 29, line 2, "byte values" has been corrected to --bytes--.

In claim 30, line 7, "sending frames" has been corrected to --sending the frame--.

In claim 31, line 2, "the quantity" has been corrected to --a quantity--.

In claim 32, line 2, "a received frame" has been corrected to --the received frame --.

In claim 34, line 1, "of each" has been corrected to --of--.

In claim 35, line 2, "the quantity" has been corrected to --a quantity--.

In claim 35, lines 2-3, "a transmitted frame" has been corrected to --the transmitted frame--.

In claim 64, line 1, "value" has been corrected to --values--.

In claim 64, the following has been added between lines 5 and 6:

--selecting the location of the frame synchronization byte values in the overhead section of the transmitted frame;--

In claim 64, line 9, "bytes" has been corrected to --bytes;--.

In claim 64, lines 10-11 have been deleted.

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In claim 64, line 12, "received frames" has been corrected to --received frame--.

In claim 64, line 13, "received frames" has been corrected to --the received frame--.

In claim 64, line 14, "received frames" has been corrected to --received frame--.

In claim 64, lines 15-16 have been deleted.

In claim 64, the following has been added between lines 16 and 17:

--selecting the values of the frame synchronization bytes in the overhead section of the received frame;--

In claim 64, line 17-18, "in a received frame" has been corrected to --in the overhead section of the received frame --.

In claim 64, line 22, " a transmitted frame" has been corrected to --the transmitted frame--.

In claim 64, line 24, "frames" has been corrected to --the frame--.

In claim 64, line 28, "the quantity" has been corrected to --a quantity--.

In claim 64, lines 30-31, "a received frame" has been corrected to --the received frame--.

In claim 64, line 35, "the quantity" has been corrected to --a quantity--.

In claim 64, lines 35-36, "a transmitted frame" has been corrected to --the transmitted frame --.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Scheibel whose telephone number is 571-272-3169. The examiner can normally be reached on Monday and Thursday from 6:30-5:00 Eastern Time.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*RC* 7-18-05  
Robert C. Scheibel  
Examiner  
Art Unit 2666

*Seema S. Rao*  
SEEMA S. RAO 7/21/05  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800



OK  
LCS  
7-18-05

FIG. 1

